

1. How many 457 visa holders, if any, has the TWU employed in the 2012-13 financial year?

Three. Those positions relate to Celia Petty, Campaign Director, Dermot Ryan, Chief of Staff and Barry Dunning, Press and Communications Coordinator.

Celia Petty was recruited from the International Brotherhood of Teamsters (IBT), a union based in the US and Canada. The TWU has built a strong relationship with international unions and the IBT. Her employment was very much in the spirit of the 457 skilled migration program. To give you an idea of how specialised her role is, we recently advertised (item: 'A') for this position and received one application.

Dermot Ryan has been a senior adviser to the Irish Labour Party and was a partner in a public affairs agency for over a decade in Ireland, which did significant work with unions, NGOs and public sector. He was originally employed as our Communications Director. Just a week into his new role, the position of Chief of Staff became available. We advertised widely for the position, but after a month of advertising it was apparent that he was the most outstanding candidate.

Barry Dunning was initially employed as a Press Officer with full working rights in Australia, and did not require sponsorship (Subclass 417 visa). He quickly demonstrated his particular skill in member based campaigning, advocacy and communications. We had no doubt that he was someone with a unique skillset that would greatly benefit the working and training of the TWU.

The recruitment of these individuals was in the spirit of the 457 skilled migration scheme.

2. How many 457 visa holders if any did the TWU employ in the 2011-12 financial year?

Three. Same as above.

3. In relation to your labour market testing, I understand you made a comment that was reported in the Australian on 20 May that the TWU had advertised locally for months to fill the positions. How many months did the TWU advertise for?

Attached are receipts and job descriptions.

Items: 'B', 'C', 'D'

4. Could you also please provide to the committee all of the labour market

testing that the TWU undertook in relation to the three positions that are currently filled by 457 visa workers?

Attached are receipts and job descriptions.

Items: 'E', 'F', 'G'

The TWU has never opposed the use of 457 to fill genuine shortages. We are opposed to unscrupulous employers taking advantage of loopholes in the system to exploit foreign workers and evade their responsibility to educate and train local workers. We have always said we want to maximize jobs and training opportunities for all Australian residents. Since 2010 we have had 22 interns at the TWU. The TWU has recruited a total of 13 residents in the past 12 months.

5. In relation to these 24 cases, are you able to provide to the committee in confidence the details surrounding the complaints?

The critical issue has always been unscrupulous employers taking advantage of loopholes in the system, which allow them to threaten an employee with deportation within 28 days if they speak out against exploitation in the workplace.

To reiterate there are two groups of people who have come forward to complain of exploitation and/or employers "rorting" the 457 skilled migration system – the Subcontinent and Vietnamese workers.

We continue to work with these vulnerable individuals about coming forward to DIAC, however, at this stage they are unwilling to come forward to the Department. The reality is many of these individuals fear losing their jobs to which they are reliant upon to stay in Australia. Many of these individuals have sought employment in Australia to improve the lives of family members back in their home country.

We have seen since the beginning of the year an increasing number of individuals willing to come forward and no doubt hundreds possibly thousands more will continue to do so. We highlighted in our submission a case of a bus company in Western Australia exploiting Filipino workers. The working and living conditions were a blatant disregard for the welfare of these 457 employees.



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Campaign Director Private Advertiser

CBD, Inner West & Eastern
Suburbs

10 May 2012

- Your selling point 1
- Your selling point 2
- Your selling point 3

The Campaign Director will be a member of the TWU's senior leadership team and will have strategic input into the shape and vision of the organisation

[Community Services & Development > Other](#)

[Job Ad Preview](#)

Campaign Director

The Role:

The Transport Workers' Union of Australia is recruiting a Campaign Director to develop and implement a campaign to organise across one of Australia's most important sectors. The Campaign Director will be a member of the TWU's senior leadership team and will have strategic input into the shape and vision of the organisation.

Reporting to the Chief of Staff, the duties will include:

- Developing and implementing a national strategy to organise workers in one of Australia's key transport sectors.
- Participate in the design of national leverage campaigns.
- Manage a team in the implementation of an agreed organising strategy.
- Identify the needs of the campaign, including budgetary, research, communications and other requirements, and work with the relevant departments to ensure their execution.
- Provide campaign plans, reports and communications to the Chief of Staff, and elected national state officials as required.
- As a member of the leadership team, you will be required to show leadership across a number of teams, and coordinate the work of your campaign in conjunction with
 - Working closely to build and maintain relations with State officials, delegates and members.
 - Develop and implement a strategy aimed at increasing union density and growing branch membership across Australia.
 - Other responsibilities as directed by the Chief of Staff.
- 3-5 years experience in leading Union organising at an advanced level;
- Strong ability to work well with people and the ability to remotely co-ordinate staff in different locations, including interstate locations;
- Ability to lead and team, and to work across teams in a collegiate manner;
- Ability to communicate effectively with a range of people and personalities;
- Ability to engage in advanced campaign planning and strategy development;
- Commitment to the principles of the Labour Movement.
- This is a senior leadership role in the Union, and an exciting opportunity to be help shape the Union's current growth strategy.
- A tertiary education is not essential but will be looked at favourably for this position.

'B'



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Statement



TRANSPORT WORKERS UNION

[Redacted]

Account Enquiries: 1300 858 990
credit_services@fairfaxmedia.com.au
Account Number: [Redacted]
Statement Date: 15 January 2012
Due Date: 22 January 2012

Outstanding balances by period

21 Days & Prior	\$0.00
14 Days	\$0.00
07 Days	\$0.00
Current	\$1,691.25
Total Due:	\$1,691.25
Total Overdue:	\$0.00

Transactions this period

Purchases	\$1,691.25
Adjustments	\$0.00
Total Current Charges	\$1,691.25
Prior Period Adjustments	\$0.00
Payments Received	\$0.00

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How to pay



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Account: 000166712
Direct Deposit is an electronic payment option, over the counter payments are not accepted



BPAY
Bill Code: 117101
Reference: 160010001667122
Contact your financial institution to make a payment from your cheque, savings or credit card account. Please allow 48 hours for your payment to be received.



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Correspondence
All other correspondence to:
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Sydney NSW 2001



Payment Slip

TRANSPORT WORKERS UNION

Method of payment

Cheque Visa Mastercard Amex Diners

Tick to retain credit card details to process your future payments automatically

Credit card Number

Cardholder name

Expiry Date

Cardholder Signature

____/____/____

Account Number: [Redacted]

Due Date: 22 January 2012

Total Due: \$1,691.25

Amount Paid: \$ _____

Tick to notify change of address (see over)

[Redacted]



Tax Invoice

Account Number: [REDACTED]
Statement Date: 15 January 2012
Page: 2 of 2

Fairfax Media Publications Pty Limited
[REDACTED]

TRANSPORT WORKERS UNION
[REDACTED]

Opening Balance \$0.00

PACKAGES

Date	Invoice	Description	Sec	Page	Size	Customer Ref	Net Amount \$	GST Amount \$	Total Amount \$
Sydney Morning Herald Classifieds / My Career Online - Classifieds									
11/01/12	0918578617	CHIEF OF STAFF LOGO		A014	46LN		1,437.50		
							100.00		
							<u>1,537.50</u>	<u>153.75</u>	<u>1,691.25</u>
		Total Sydney Morning Herald Classifieds / My Career Online - Classifieds					<u>1,537.50</u>	<u>153.75</u>	<u>1,691.25</u>
		Total Current Charges					<u>1,537.50</u>	<u>153.75</u>	<u>1,691.25</u>
		Total Amount Due - TRANSPORT WORKERS UNION							<u><u>\$1,691.25</u></u>

Please complete your new address details

TRANSPORT WORKERS UNION
Account Number: [REDACTED]

Address _____

Suburb _____ State _____ Postcode _____

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'C'

Statement



MR/MS TRANSPPOST WORKER UNION AUSTRALIA

[Redacted]

Account Enquiries: 1300 858 990
credit_services@fairfaxmedia.com.au

Account Number: [Redacted]

Statement Date: 02 October 2011

Due Date: 09 October 2011

Outstanding balances by period

21 Days & Prior	\$0.00
14 Days	\$0.00
07 Days	\$0.00
Current	\$2,928.75
Total Due:	\$2,928.75
Total Overdue:	\$0.00

Transactions this period

Purchases	\$2,928.75
Adjustments	\$0.00
Total Current Charges	\$2,928.75
Prior Period Adjustments	\$0.00
Payments Received	\$0.00

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How to pay



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AUSTRALIA

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Tick to retain credit card details to process your future payments automatically

Credit card Number

Cardholder name

[Redacted]

Expiry Date

Cardholder Signature

[Redacted]

[Redacted]

Account Number: [Redacted]

Due Date: 09 October 2011

Total Due: \$2,928.75

Amount Paid: \$ _____

Tick to notify change of address (see over)

[Redacted]



Tax Invoice

Account Number: [REDACTED]
Statement Date: 02 October 2011
Page: 2 of 2

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[REDACTED]

MR/MS TRANSPPOST WORKER UNION AUSTRALIA
[REDACTED]

Opening Balance \$0.00

PACKAGES

Date	Invoice	Description	Sec	Page	Size	Customer Ref	Net Amount \$	GST Amount \$	Total Amount \$
Sydney Morning Herald Classifieds / My Career Online - Classifieds									
01/10/11	0915798516	DIRECTOR OF COMMUNIC LOGO	MEDI	E016	82LN		2,562.50		
							100.00		
							<u>2,662.50</u>	<u>266.25</u>	<u>2,928.75</u>
		Total Sydney Morning Herald Classifieds / My Career Online - Classifieds					<u>2,662.50</u>	<u>266.25</u>	<u>2,928.75</u>
		Total Current Charges					<u>2,662.50</u>	<u>266.25</u>	<u>2,928.75</u>
		Total Amount Due - MR/MS TRANSPPOST WORKER UNION AUSTRALIA							<u>\$2,928.75</u>

MR/MS TRANSPPOST WORKER UNION AUSTRALIA

Account Number :

Please complete your new address details

Address _____

Suburb _____ State _____ Postcode _____

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Director of Communications Transport Workers Union of Australia Private Advertiser
CBD, Inner West & Eastern Suburbs

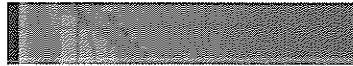
21 Sep 2011

| \$90,000 - \$109,999

The TWU is seeking an experienced individual to develop a communications strategy, manage media relations and direct the union's online presence.

Marketing & Communications > Other

Job Ad Preview



Director of Communications

SEARCHED BY: twuadmin@twu.com.au

The Transport Workers Union (TWU) of Australia is one of Australia's largest unions, with members in the road transport, aviation, security and waste industries.

The TWU is seeking an experienced individual to work with key personnel and elected officers to develop a communications strategy, manage media relations and direct the union's online presence.

You will be expected to work closely and collaboratively with TWU staff, including media and digital communications officers to:

- identify and progress positive media opportunities for the Union at the national level and manage responses to external inquiries concerning union activities
- map media opportunities across key TWU membership sectors
- develop and distribute campaign and communications materials as directed
- determine website strategy and content
- direct web-based campaigns
- work closely with TWU State Branches in advancing union campaigns

You will have direct knowledge of the national media environment and current and emerging social networking tools to ensure that members are regularly engaged and advised of major activities and progress.

This is a leadership position within the union and you will be expected to provide updates and otherwise contribute to regular leadership meetings about progress in your areas of responsibility.

It is important that you are supportive of core labour movement principles.

Apply to:

Please forward your application and cover letter to

twuadmin@twu.com.au

Applications Close 10th October



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Transport Workers' Union

National Office

388-390 Sussex St, Sydney 2000 NSW • p: (02) 8114 6500 • f: (02) 9267 3222
www.twu.com.au • twu@twu.com.au • ABN: 18 559 030 246

Tony Sheldon National Secretary

' E '

Ms Celia Petty
15/12/2010

Dear Celia

Appointment as National Organising Director

This letter is an offer of appointment to the position of National Organising Director with the Transport Workers' Union of Australia Federal Council ("TWU").

For the first three months you will be on probation. During and at the end of that time we will discuss your work performance with you and would also encourage you to talk through any issues or problems you may be experiencing, with me or any other Senior Official. Your commitment is for a period of 18 months, with the possibility of extending for a further 6 months.

Your working hours are variable, however 8am to 5pm is the standard Office hours

Your Start date will be dependant on the processing of your visa application, subject to the approval of a Subclass 457 visa by the Department of Immigration and Citizenship; preferably as soon as possible,

[REDACTED]

We will provide you with the services of Luke McIntyre of Fleet choice to assist you with salary packaging and Tax benefits.

Your entitlements' include:

Four weeks Annual Leave with the option of an additional 2-3 weeks leave without pay.

Ten days Sick leave per annum.

Private Health Insurance by a government approved provider ("Bupa" 457 visa cover would provide cover while on assignment in Australia and suitable to provide an easy transition back to the U.S. on completion of assignment in Sydney).

[REDACTED]

You will be provided with a car that will be fitted with air conditioning. The Union will pay for fuel, insurance, servicing and basic on-road costs of the vehicle. The car remains the property of the TWU at all times and its use and availability remains at the discretion of the National Secretary.



NSW State Secretary
Wayne Forno

Vic/Tas State Secretary
Wayne Mader

Qld State Secretary
Hughie Williams

WA State Secretary
Jim McGiveron

SA/NT State Secretary
Alex Gallacher

Transport Workers' Union

You will also be provided with a mobile Iphone with a [REDACTED] call and data package and a laptop computer.

The TWU will provide one round trip airfare to D.C. at a time suitable to both parties during the first 18-month period.

[REDACTED]

It is a condition of your employment that you will support the objectives and policies of the Union and its officers authorised by the National Secretary of the Union.

Working for the TWU involves working as a strong, tight and committed team. We operate in a political environment, particularly in our dealings with employers, other unions, political parties, organisations and individuals.

Confidentiality is therefore essential to our effective operation. All Organisers and Officials of the Union are required to maintain that confidentiality at all times. Failure to do so may lead to dismissal. You will treat all information regarding the business and affairs with the strictest of confidence both during and after your employment with the TWU. You must not use or disclose any confidential information except in the proper course of your performance and responsibilities as an employee of the TWU.

You agree, if required by the TWU, to sign a separate confidentiality statement as a condition of your employment. This requirement will depend on the area and nature of your position. If for some reason, your employment with the TWU ends, you will be required to sign a deed committing to confidentiality for a reasonable period after you leave the employ of the TWU.

When you cease employment with the TWU you will return all TWU property to the TWU, including such things as: security keys, car, and mobile phone.

Either you or the TWU may terminate your employment period by giving four weeks written notice of the termination of your employment, or four weeks pay in lieu of notice. At the termination of your employment the TWU is bound by the Visa rules and regulations.

Your duties include, but are not limited to:

- **Strategy Development** – Develop national strategies to organise workers in the Australian transport industries. Participate in the design of national leverage campaigns. Includes research-based selection of organising targets, leading organising efforts and projects, building rank & file organising structures, supervision of other organising staff and development of accurate measures of organising activity; and
- **Operational Management** – Manage national organising staff in the implementation of agreed organising strategy. Includes oversight and/or participation in the development and implementation of State Branch organising plans, weekly supervision of state organising leaders, management of organising conflicts and disputes with hostile organisations and accountability for the success of organising initiatives; and
- **Communication** – develop communication strategies and messaging in support of organising projects and strategies. Includes the ability to prepare written materials and publications, and to present oral communications to a wide variety of audiences; and
- Other responsibilities as directed.

management of organising conflicts and disputes with hostile organisations and accountability for the success of organising initiatives; and

- **Communication** – develop communication strategies and messaging in support of organising projects and strategies. Includes the ability to prepare written materials and publications, and to present oral communications to a wide variety of audiences; and
- Other responsibilities as directed.

Reporting Structure

As you will be working for the National Office, your success in discharging these responsibilities will depend on your ability to develop a working relationship with and retain the confidence of the Federal Committee of Management, and/or their nominee/s.

You will report directly to me or my nominees on the performance of your duties. My nominees will include the Federal Assistant Secretary.

Agreement

You declare that all the information provided by you to the TWU true and correct. You acknowledge that if you knowingly provide information to the TWU that is untrue or incorrect it may amount to serious misconduct and may result in the termination of your employment without notice.

Once signed, this letter and any attachments represent the agreement between the TWU and you regarding your employment. This letter supersedes and overrides all previous negotiations or understandings between the TWU and you. This agreement is confidential and must not be disclosed by you to any other person, other than for the purpose of obtaining professional legal or accounting advice, without the prior approval of the TWU

To indicate your acceptance of this position, please sign in the place provided below and return a copy of this letter.

I accept of all the terms and conditions as specified in this letter of appointment and acknowledge receipt of the TWU EEO policy:

Signed:



Celia I Petty

Dated / /2011

On completion of your employment with the TWU, you will be required to sign a deed committing to confidentiality for a reasonable period after you leave the employ of the TWU.

Finally, I would like to welcome you aboard. I look forward to working closely with you to achieve these outcomes.

Yours faithfully

Tony Sheldon ✓
National Secretary



Transport Workers' Union

National Office

388-390 Sussex St, Sydney 2000 NSW • p: (02) 8114 6500 • f: (02) 9267 3222
www.twu.com.au • twu@twu.com.au • ABN: 18 559 030 246

Tony Sheldon National Secretary

Press and Communications Coordinator Job Description

Reporting to: Chief of Staff

Roles and Responsibilities

- Devising and implementing media strategies incorporating traditional and web based media channels.
- Devising and implementing systems and policies to ensure an efficient communications and research operation.
- Providing advice to the National Secretary of the Union, or his appointed representative(s).
- Identifying research needs for the Union, and managing the execution of any agreed research.
- Managing the Communications and Research Department, ensuring the smooth day-to-day running of the team.
- Managing work plans for team members, ensuring they receive feedback on their performance, and receive any support necessary to help them in executing their roles.
- Advising and managing the research needs of the Union.
- Providing necessary verbal and written reports, as required
- Ensuring efficient service and support is provided to other Departments in the Union.
- Providing support to the elected officials, Chief of Staff and National Office Directors.
- Any other tasks as required by the Chief of Staff.

ENDS

NSW State Secretary
Wayne Forno

Vic/Tas State Secretary
Wayne Mader

Qld State Secretary
Peter Biagini

WA State Secretary
Jim McGiveron

SA/NT State Secretary
Ray Wyatt

Tony Sheldon National Secretary

'G'

Chief of Staff Job Description

Reporting to: National Secretary and National Assistant Secretary

Roles and Responsibilities include:

- Overall responsibility for staff management, mentoring and development of the National Office.
- Management of all Human Resource issues including recruiting, reporting structures and disciplinary matters.
- Implementing the strategic objectives as set out by the National Committee of Management.
- Ensure execution of the Union's strategic objectives to improve the health, safety and welfare of transport workers and their families.
- Devise and implement policies and procedures are in place to allow national office to operate smoothly, and that provide accountability and transparency.
- Ensure proper financial governance for the National office.
- Devise and implement systems and reporting structures to track member growth and other campaign deliverables.
- Represent the TWU on industry bodies, in public forums, in the media and before Government and elected representatives.
- Provide political, communications and other high level advice to the National Secretary, Assistant National Secretary and the National Committee of Management.
- Other responsibilities as directed by the National Secretary and/or the Assistant National Secretary.

ENDS